

**MINUTES**

**MONTANA SENATE  
60th LEGISLATURE - REGULAR SESSION**

**COMMITTEE ON NATURAL RESOURCES AND ENERGY**

**Call to Order:** By **CHAIRMAN GREG LIND**, on April 10, 2007 at 3:10 P.M., in Room 422 Capitol.

**ROLL CALL**

**Members Present:**

Sen. Greg Lind, Chairman (D)  
Sen. Aubyn Curtiss (R)  
Sen. Kelly Gebhardt (R)  
Sen. Dan Harrington (D)  
Sen. Christine Kaufmann (D)  
Sen. Gary L. Perry (R)  
Sen. Bill Tash (R)  
Sen. Mitch Tropila (D)

**Members Excused:**

Sen. David E. Wanzenried (D)

**Members Absent:** None.

**Staff Present:** Claudia Johnson, Committee Secretary  
Joe Kolman, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: HB 330, 4/4/2007; HB 831, 4/4/2007  
Executive Action: HB 304, HB 835, HB 569

00:21:32 Chairman Lind

00:22:58 Sen. Tash to Sen. Lind

00:24:35 Sen. Lind to Joe Kolman, LSD

**HEARING ON HB 330**

**Opening Statement by Sponsor:**

00:24:54 **REP. BOB BERGREN (D), HD 33**, opened the hearing on **HB 330**, Clean and renewable energy bonding.

**Proponents:**

00:28:34 Kathleen Burrage, Attorney for Chairman Carl Venne of the Tribal Governments

**EXHIBIT (nas75a01)**

00:30:04 Paul Cartwright, Governor's Office

**EXHIBIT (nas75a02)**

00:32:43 John Prinkki, Carbon County Commissioner

00:33:48 John Fitzpatrick, Northwestern Energy (NWE)

00:34:25 Alec Hansen, Montana League of Cities and Towns

00:35:10 Van Jamison, Self

**EXHIBIT (nas75a03)**

00:37:39 Patrick Judge, Montana Environmental Information Center (MEIC)

**Opponents:** None.

**Informational Testimony:**

00:38:14 Greg Jergeson, Chairman, Public Service Commission (PSC)

**Questions from Committee Members and Responses:**

00:40:23 Sen. Tropila to Greg Jergeson, PSC

00:41:03 Sen. Curtiss to Paul Cartwright, Governor's Office

**Closing by Sponsor:**

00:44:10 Rep. Bergren

**HEARING ON HB 831**

(cont. from hearing held on April 4, 2007)

**Opening Statement by Sponsor:**

00:46:52 **REP. WALTER MCNUTT (R), HD 37**, opened the hearing on **HB 831**, Revise water use laws.

**Proponents:**

00:52:02 John Dunlap, Home Developer, Gallatin Valley

00:55:32 Debra Wahlberg, Self

**EXHIBIT(nas75a04)**

00:58:58 Paul Shennum, Self

01:02:41 Hertha Lund, Attorney

**EXHIBIT(nas75a05)**

**Opponents:**

01:06:39 Rep. Debbie Barrett, Self

**EXHIBIT(nas75a06)**

01:13:16 Steve Brown, Attorney, Hollowtop Ranch

**EXHIBIT(nas75a07)**

01:16:42 Ron Edwards, Water District General Manager

01:20:32 Michael Nicklin, Self

**EXHIBIT(nas75a08)**

01:24:06 David Schuett, Veterinarian/Rancher

**Informational Testimony:**

01:28:46 Bonnie Lovelace, Department of Environmental Quality  
(DEQ)

01:30:21 Bob Morrison, President of Morrison/Maierle (M/M)

01:30:54 Tom Patton, Montana Technical School of Mines (MT Tech)

**Questions from Committee Members and Responses:**

01:31:35 Sen. Tash to Rep. McNutt

01:32:54 Chris Evans, LSD

01:33:35 Sen. Tash to Rep. McNutt

01:35:10 Sen. Tash to Holly Franz, PPL Montana

01:37:07 Sen. Perry to Mary Sexton, Director, Department of  
Natural Resources and Conservation (DNRC)

01:38:38 Sen. Perry to Tim Hall, Chief Legal Counsel, DNRC

01:39:40 Sen. Perry to Michael Nicklin, Consultant

01:41:38 Sen. Gebhardt to Rep. McNutt

01:43:45 Sen. Gebhardt to Tom Patton, MT Tech

01:50:44 Sen. Kaufmann to Sen. Lind

01:51:49 Sen. Lind to Stan Bradshaw, Montana Trout Unlimited  
(MTU)

01:54:41 Sen. Lind to Holly Franz, PPL Montana

01:56:25 Sen. Kaufmann to Sen. Lind

01:56:36 Sen. Curtiss to Rep. McNutt

02:01:17 Sen. Perry to Bob Morrison, M/M

02:07:11 Sen. Perry to Holly Franz, PPL Montana

02:09:42 Sen. Kaufmann

**EXHIBIT (nas75a09)**

02:12:18 Sen. Kaufmann to Tom Reid, Waste Water Protection  
Bureau, DEQ

02:17:44 Sen. Lind to Sen. Kaufmann

02:18:16 Sen. Kaufmann to Stan Bradshaw, MTU

02:22:44 Sen. Perry

02:23:01 Sen. Tash to Rep. McNutt

**EXHIBIT (nas75a10)**

02:24:19 Sen. Lind to Tom Reid, DEQ

02:26:55 Sen. Curtiss to David Schuett, Veterinarian/Rancher

02:30:38 Sen. Curtiss to Tom Reid, DEQ

02:31:34 Sen. Curtiss to Tom Patton, MT Tech

02:34:29 Sen. Lind to David Schuett, Veterinarian/Rancher

02:35:18 Sen. Kaufmann to Sen. Lind

**EXHIBIT (nas75a11)**

02:36:25 Sen. Kaufmann to Mary Sexton, DNRC

02:38:49 Sen. Kaufmann to Rep. McNutt

02:40:29 Sen. Perry to Rep. McNutt

**Closing by Sponsor:**

02:42:28 Rep. McNutt

02:50:37 Sen. Lind

02:58:35 Break

03:18:20 Back from Break

**EXECUTIVE ACTION ON HB 304**

03:19:26 **Motion:** SEN. TASH moved that HB 304 BE CONCURRED IN.

**Discussion:**

03:19:38 Sen. Gebhardt

03:21:34 Sen. Perry

03:22:05 Sen. Gebhardt

03:22:40 Sen. Lind to Sen. Gebhardt

03:23:10 Sen. Perry

03:23:25 Sen. Lind to John Tubbs, DNRC

03:24:27 Sen. Gebhardt

03:24:49 Sen. Perry

03:25:16 **Motion/Vote:** SEN. TROPILA CALLED THE QUESTION ON HB 304. Motion carried unanimously by voice vote. SEN. Wanzenried voted by proxy.

**EXECUTIVE ACTION ON HB 835**

03:26:12 **Motion:** SEN. GEBHARDT moved that HB 835 BE CONCURRED IN.

**Discussion:**

03:27:25 **Motion:** SEN. GEBHARDT moved that AMENDMENT HB083501.ATE BE ADOPTED.

**EXHIBIT**(nas75a12)\_\_\_\_\_

**Discussion:**

03:28:02 **Motion/Vote:** SEN. GEBHARDT CALLED THE QUESTION ON AMENDMENT HB083501.ATE. Motion carried unanimously by voice vote. SEN. WANZENRIED voted by proxy.

03:28:21 **Motion:** SEN. GEBHARDT moved that HB 835 BE CONCURRED IN AS AMENDED.

**Discussion:**

03:28:43 Sen. Kaufmann

03:30:34 Sen. Tash

03:31:02 Sen. Harrington

03:31:48 Sen. Tropila

03:33:01 Sen. Tash

03:33:57 Sen. Lind

03:35:19 Sen. Perry to Tom Livers, DEQ

03:39:18 Sen. Perry

03:42:15 Sen. Gebhardt

03:44:56 Sen. Lind

03:45:51 Sen. Tropila

03:47:16 Sen. Gebhardt

03:48:21 Sen. Harrington

03:48:46 Sen. Kaufmann

03:49:55 Sen. Tash

03:51:01 Sen. Gebhardt

03:51:32 Sen. Perry to Rep. Stahl

03:52:57 Sen. Gebhardt to Sen. Perry

03:53:40 Sen. Lind

03:54:00 Sen. Gebhardt

03:54:14 **Motion/Vote:** SEN. GEBHARDT CALLED THE QUESTION ON HB 835. Motion failed 4-5 by roll call vote with SEN. CURTISS, SEN. GEBHARDT, SEN. HARRINGTON, and SEN. TASH voting aye. SEN. WANZENRIED voted by proxy.

03:55:19 **Motion/Vote:** SEN. TROPILA moved that HB 835 BE TABLED AND THE VOTE REVERSED. Motion carried 5-4 by roll call vote with SEN. CURTISS, SEN. GEBHARDT, SEN. HARRINGTON, and SEN. TASH voting no. SEN. WANZENRIED voted by proxy.

**EXECUTIVE ACTION ON HB 569**

03:55:55 **Motion:** SEN. GEBHARDT moved that HB 569 BE CONCURRED IN.

**Discussion:**

03:57:38 Sen. Tash

03:58:22 Sen. Gebhardt

03:58:42 Sen. Curtiss

03:59:46 **Motion/Vote:** SEN. HARRINGTON CALLED THE QUESTION ON HB 569. Motion carried 7-2 by voice vote with SEN. CURTISS and SEN. PERRY voting no. SEN. WANZENRIED voted by proxy.

**Discussion:**

04:02:30 Sen. Lind to Joe Kolman, LSD

04:02:51 Sen. Lind to Sen. Gebhardt

04:04:14 Sen. Gebhardt



**ADJOURNMENT**

Adjournment: 6:55 P.M.

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SEN. GREG LIND, Chairman

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CLAUDIA JOHNSON, Secretary

GL/cj

Additional Exhibits:

**EXHIBIT ([nas75aad.pdf](#))**